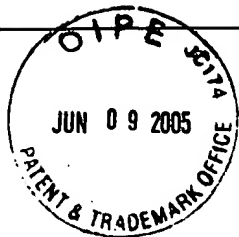


ARNOLD & PORTER LLP

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June 9, 2005

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Art Unit: 1631  
Examiner: L.A. Clow  
Conf. No.: 7785

Re: U.S. Patent Application No. 09/922,293 filed August 6, 2001  
Inventors: Timothy W. CONNER *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated  
with Transcription in Plants  
Atty. Dkt: 16517.254

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$500.00 for filing this Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.254. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.254. A duplicate copy of this letter is attached.

06/10/2005 SZENDIE1 00000029 502387 09922293  
01 FC:1401 500.00 DA

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re patent application of:

Confirmation No.: 7785

Timothy W. CONNER *et al.*

Art Unit: 1631

Appln. No.: 09/922,293

Examiner: Lori A. Clow

Filed: August 6, 2001

Atty. Docket: 16517.254

For: Nucleic Acid Molecules and Other Molecules Associated with Transcription in Plants

**Notice of Appeal from the Examiner to the  
Board of Patent Appeals and Interferences**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*Attn: Mail Stop AF*

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed March 9, 2005, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

Respectfully submitted,

Date: June 9, 2005

Thomas E. Holsten (Reg. No. 46,098)  
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